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August 28, 2019

Honorable James D. Peterson,
Chief U.S. District Judge
120 N. Henry Street, 5th Floor
Madison, Wisconsin 53703

Re: United States v. Matthew Bulovsky (Case No. 19-CR-0008-JDP)

Dear Judge Peterson:

This cause is set for sentencing before you tomorrow, Thursday, August 29th at 1:00 p.m. I write in reference to several items concerning that sentencing.

First, just moments ago we received via email a supplemental evaluation report from Dr. Nick Yackovich, and I am in the process of filing it under seal for the Court's consideration at sentencing, particularly in light of the government's sentencing memorandum asking for a sentence of 17 years or more. Dr. Yackovich's original report was referenced at paragraphs 70 and 71 of the presentence. I am also emailing that supplemental report immediately to the PSR writer and the AUSA. (The supplemental evaluation excerpts the salient sections of his original report, and SUSPO Williams has that entire earlier evaluation.)

Second, I will be reviewing that supplemental report with my client this morning at the Sauk County Jail, and thereafter will file a brief response to the Government's memo. To cut to the bottom line, however, the defense is asking the court to deviate below the advisory guideline range based on the fact that the child pornography guidelines continue to produce resulting advisory sentencing ranges that far exceed what the ABA Standards of Criminal Justice commend, to wit: no more than is minimally necessary so as to not unduly depreciate the seriousness of the offense. We respectfully submit that the mandatory minimum five year term of imprisonment for the current offense meets but does not exceed that level, when combined with the other direct and collateral components of Matthew's sentence (lifetime registration, numerous employment, housing and activity bans, and lengthy supervised release).

Respectfully submitted,
/s/ (signed electronically)
Christopher T. Van Wagner

cc: AUSA Elizabeth Altman (via email and e-filing)
SUSPO Rich Williams